

### REMARKS

This Application has been carefully reviewed in light of the Final Office Action mailed April 3, 2007. At the time of the Final Office Action, Claims 1-24 were pending in this Application. Claims 1-24 were rejected.

#### **Rejections under 35 U.S.C. §103**

Claims 1-3, 10-11, 14-16, and 21-24 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent 4,618,822 issued to Per K. Hansen ("Hansen") in view of U.S. Patent 3,756,081 issued to Robert Eric Young ("Young"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 7-9 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen in view of Young and further in view of U.S. Patent 4,127,110 issued to Leo A. Bullara ("Bullara"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claim 12 was rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen in view of Young and further in view of U.S. Patent 3,628,381 issued to Martin L. Aronow et al. ("Aronow"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 4-6, 13, and 17-19 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hansen in view of Young and further in view of U.S. Patent 4,556,886 issued to Wataru Shimizu et al. ("Shimizu"). Applicants respectfully traverse and submit the cited art combinations, even if proper, which Applicants do not concede, does not render the claimed embodiment of the invention obvious.

Claims 1, 14, and 23 (the independent claims) have been amended to recite additional limitations of the invention. These limitations are not taught or suggested by either Hansen or Young.

Specifically, Claims 1 and 14 now recite that for each sensor, the rod is fixed within the coil. That is, the rod does not move within the coil. As stated on page 15, lines 15 – 18, a feature of the sensor pair is that the rod does not move relative to the coil.

Both Hansen and Young rely on the electrical response of a rod (or wire) that moves within a coil. (*See* Hansen, col. 11, lines 36 – 37; Young, col. 1, lines 61 – 63).

A feature of the invention is that each sensor in the pair of sensors forms a tuned circuit, each sensor having the same resonant frequency as the other. The peak frequencies are displaced because the sensors are separated. If the two sensors move relative to each other, the displacement of the peak frequencies changes.

Neither Hansen nor Young teaches the use of a pair of sensors that would be operable to measure displacement if the rod (or wire) did not move within the coil.

For these reasons, Claims 1, 14, and 23 are allowable, as are their dependent claims.

**Request for Continued Examination**

Applicant encloses a Request for Continued Examination (RCE) Transmittal.

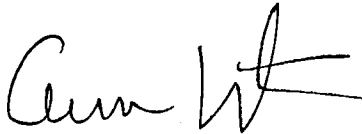
**CONCLUSION**

Applicants have now made an earnest effort to place this case in condition for allowance in light of the amendments and remarks set forth above. Applicants respectfully request reconsideration of all pending claims as amended.

Applicants enclose an RCE transmittal and Petition for Three Month Extension of Time and authorize the Commissioner to charge the \$405.00 RCE fee and \$525.00 Extension fee to Deposit Account No. 50-2148 of Baker Botts L.L.P. Applicants believe there are no additional fees due at this time, however, the Commissioner is hereby authorized to charge any additional fees necessary or credit any overpayment to Deposit Account No. 50-2148 of Baker Botts L.L.P.

If there are any matters concerning this Application that may be cleared up in a telephone conversation, please contact Applicants' attorney at 512.322.2634.

Respectfully submitted,  
BAKER BOTTS L.L.P.  
Attorney for Applicants



Ann C. Livingston  
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Date: October 2, 2007

SEND CORRESPONDENCE TO:

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